

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11652 of 2024

Arising Out of PS. Case No.-300 Year-2021 Thana- KESARIA District- East Champaran

Arvind Sahani @ Arvind Kumar Son Of Bhagwan Sahani Resident Of
Village-Konhiya, P.S.-Kesariya, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 363, 366(A), 34 of the Indian Penal Code and Section 8 of the POCSO Act.

3. As per the prosecution case, the informant alleged that on 12.08.2021, she had gone to Sahebganj for treatment of her son and when came back home, she found her daughter traceless. On query, she came to know that the petitioner along with other co-accused persons have kidnapped her daughter.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that



the statement of the victim was recorded under Section 164 of Cr.P.C., in which she has not supported the prosecution case. He further submits that the victim has solemnized marriage with the petitioner. The petitioner is not named in the F.I.R.. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the statement of the victim recorded under Section 164 of Cr.P.C., let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Kesariya P.S. Case No. 300 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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